

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re: ) Chapter 11  
 )  
MARKET SQUARE HOSPITALITY, LLC, ) Case No. 17-22394-DRC  
 )  
 ) Hon. Janet S. Baer  
 )  
Debtor. )

**NOTICE OF AGREED MOTION**

PLEASE TAKE NOTICE that on September 19, 2017 at 9:30 a.m., the undersigned shall appear before the Honorable Janet S. Baer in Courtroom 615, or whomever may be sitting in her place and stead, at the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division, 219 S. Dearborn Street, Chicago, Illinois and will then and there present the *Thomas A. Olson's Agreed Motion to Extend Deadlines and Continue Evidentiary Hearing Date Set Forth in Final Pretrial Orders* of which is attached hereto and herewith served upon you.

Dated: September 12, 2017

**THOMAS A. OLSON, successor-in-interest  
to St. Charles Bank & Trust Company**

By: /s/ Shelly A. DeRousse  
One of His Attorneys

Shelly A. DeRousse  
Elizabeth L. Janczak  
FREEBORN & PETERS LLP  
311 S. Wacker Drive, Suite 3000  
Chicago, Illinois 60606  
Phone: (312) 360-6000  
Facsimile: (312) 360-6520  
[sderousse@freeborn.com](mailto:sderousse@freeborn.com)  
[ejanczak@freeborn.com](mailto:ejanczak@freeborn.com)

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**CERTIFICATE OF SERVICE**

I, Shelly A. DeRousse, an attorney, hereby certify that on September 12, 2017, I caused a true and correct copy of the attached *Notice of Agreed Motion* and *Thomas A. Olson's Agreed Motion to Extend Deadlines and Continue Evidentiary Hearing Date Set Forth in Final Pretrial Orders* to be filed with the Court and served upon the following parties by the manner listed.

/s/ Shelly A. DeRousse

**Service List**

**CM/ECF Service List**

Abraham Brustein	abrustein@dimonteandlizak.com
Amy E Daleo	adaleo@cohonraizes.com
Morgan L Hochheiser	mhochheiser@mauricewutscher.com
William B Isaly	bisaly@ancelglink.com
Patrick S. Layng	ustregion11.es.ecf@usdoj.gov
Kate O'Loughlin	kate.oloughlin@sba.gov
Julia Jensen Smolka	jjensen@dimonteandlizak.com

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
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**THOMAS A. OLSON’S AGREED MOTION TO EXTEND  
DEADLINES AND CONTINUE EVIDENTIARY HEARING  
DATE SET FORTH IN FINAL PRETRIAL ORDER**

Thomas A. Olson, successor-in-interest to St. Charles Bank & Trust (“*Olson*”), by and through his undersigned counsel, moves (the “*Motion*”) this Court for entry of an order extending the deadlines and continuing the evidentiary hearing date set forth in the Court’s Final Pretrial Order dated August 22, 2017 (the “*Pretrial Order*”) (ECF No. 58). In support of the Motion, Olson states as follows:

**JURISDICTION AND VENUE**

1. This Court has jurisdiction over the Motion pursuant to 28 U.S.C. §§ 157 and 1334. Venue for this chapter 11 case and this Motion is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409. This Motion constitutes a core proceeding pursuant to 28 U.S.C. § 157(b).

**BACKGROUND**

2. On July 27, 2017 (the “*Petition Date*”), Market Square Hospitality LLC (the “*Debtor*”) filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “*Bankruptcy Code*”) in the U.S. Bankruptcy Court for the Northern District of Illinois (the “*Court*”).

3. On July 28, 2017, the Debtor filed a motion (the “*Cash Collateral Motion*”) (ECF No. 42) seeking authority to use Olson’s cash collateral and purportedly offering adequate protection to Olson consisting of post-petition replacement liens.

4. On August 21, 2017, Olson filed an objection to the Cash Collateral Motion on the grounds that Olson’s interests are not adequately protected by the concessions granted by the Debtor.

5. At the August 22, 2017 hearing on the continued Cash Collateral Motion, Olson indicated that he intended to file a motion for relief from the automatic stay and requested a joint evidentiary hearing on such motion as well as his adequate protection objection.

6. On August 22, 2017, the Court entered the Pretrial Order which set certain deadlines in advance of the evidentiary hearing, including the following:

- Debtor’s response to Olson’s motion for relief from the automatic stay: September 21, 2017;
- File Pretrial Statement: September 22, 2017; and
- Evidentiary Hearing: September 27, 2017 at 10:30 a.m.

7. Olson filed his motion for relief from the automatic stay on August 25, 2017.

8. Since that time, the parties have been engaged in fact discovery, including issuance of third-party subpoenas for documents and testimony. On September 8, 2017, the Debtor produced to Olson more than 3,000 pages of documents.

9. There are currently five separate depositions scheduled to take place over the next two weeks.

**RELIEF REQUESTED**

10. Olson requests entry of an order extending the remaining deadlines set forth in the Pretrial Order and continuing the evidentiary hearing currently scheduled for September 27, 2017 to permit the parties additional time to review fact discovery responses and documents, take depositions, and prepare for the evidentiary hearing.

11. After consultation with the Debtor and the staff of this Court, Olson proposes the following new dates:

- Debtor's response to Olson's motion for relief from the automatic stay: September 28, 2017;
- File Pretrial Statement: September 29, 2017; and
- Evidentiary Hearing: October 5, 2017 or October 12, 2017.

12. The proposed deadlines are approximately one week after the current deadlines and should afford the parties the necessary time to fully prepare for the evidentiary hearing.

13. Olson discussed the substance of this Motion with the Debtor, including the proposed dates, and understands that the Debtor is in agreement with the relief requested herein.

14. Accordingly, Olson requests that the Court enter an order extending the Pretrial Order deadlines and continuing the evidentiary hearing as proposed herein.

WHEREFORE, Olson respectfully requests this Court to enter an order: (i) extending the Pretrial Order deadlines and continuing the evidentiary hearing as proposed in the Motion, and (ii) granting such other and further relief as the Court deems just and proper.

Dated: September 12, 2017

**THOMAS A. OLSON, successor-in-interest to  
St. Charles Bank & Trust Company**

By: /s/ Shelly A. DeRousse  
One of His Attorneys

Shelly A. DeRousse  
Elizabeth L. Janczak  
FREEBORN & PETERS LLP  
311 S. Wacker Drive, Suite 3000  
Chicago, Illinois 60606  
Phone: (312) 360-6000  
Facsimile: (312) 360-6520  
[sderousse@freeborn.com](mailto:sderousse@freeborn.com)  
[ejanczak@freeborn.com](mailto:ejanczak@freeborn.com)